

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:13-00285

AHMAD PETERSON

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On October 19, 2017, the United States of America appeared by Timothy D. Boggess, Assistant United States Attorney, and the defendant, Ahmad Peterson, appeared in person and by his counsel, Roger L. Lambert, for a hearing on the petition on supervised release submitted by United States Probation Officer Lilla M. Adkins. The defendant commenced an eight-year term of supervised release in this action on June 1, 2012, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on June 16, 2009.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the state and local offense of fleeing as evidenced by his plea of guilty in Cabell County Magistrate Court on December 11, 2013, for which he was ordered to pay a \$500 fine; (2) the defendant used and possessed marijuana as evidenced by positive urine specimens submitted by him on September 17, 19 and 27, 2013; his admission to the probation officer on September 17, 2013, that he had smoked marijuana three weeks earlier; and a positive urine specimen submitted by him on June 22, 2017; and (3) the defendant possessed with intent to distribute marijuana on June 21, 2017, at which time he was found to be in possession of multiple bags of marijuana, one of which had multiple individual bags within it, as evidenced by his agreement on the record of the hearing that the government possesses sufficient proof to prove the offense by a preponderance of the evidence; all as admitted by the defendant with the exception of (3) as noted above and all as set forth in the petition on supervised release.


And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of EIGHT (8) MONTHS, imposed as to each of Counts One and Two, to run concurrently, to be followed by a term of three (3) years of supervised release, imposed as to each of Counts One and Two, to run concurrently, upon the standard conditions of supervised release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form AO 245B) and the standard conditions as set forth in Local Rule 32.3.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: October 23, 2017



John T. Copenhaver, Jr.
United States District Judge